

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MOHAMMAD MUNIR ANWARI, : Civil No. 3:17-cv-1512

Petitioner : (Judge Mariani)

v. : : FILED
: : SCRANTON

CRAIG A. LOWE, : : OCT 10 2017

Respondent : : ~~PER [initials]~~ DEPUTY CLERK

ORDER

AND NOW, this 10/11 day of October, 2017, for the reasons set forth in the Court's Memorandum of the same date, **IT IS HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus (Doc. 1) is **GRANTED** in part to the extent that Petitioner will be afforded an individualized bond hearing.
2. An Immigration Judge shall afford Petitioner an individualized bond hearing within **thirty (30) days** of the date of this Order.
3. At the bond hearing, the Immigration Judge must make an individualized inquiry into whether detention is still necessary to fulfill the purposes of ensuring that the Petitioner attends removal proceedings and that his release will not pose a danger to the community. *Chavez-Alvarez v. Warden York Cnty. Prison*, 783 F.3d 469, 475 (3d Cir. 2015). At this hearing, the Government bears the burden of presenting evidence and proving that continued detention is necessary to fulfill the purposes of the detention

- statute. *Diop v. ICE/Homeland Sec.*, 656 F.3d 221, 233 (3d Cir. 2011).
4. Within ten (10) days of the Immigration Judge's hearing, Respondent shall report to the District Court on the outcome of the individualized bond hearing.
 5. The Clerk of Court is directed to **CLOSE** this case.



Robert D. Mariani
United States District Judge